

1 UNITED STATES DISTRICT COURT
2
3 DISTRICT OF NEVADA

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5 BALUMA S.A. doing business as
6 ENJOY PUNTA DEL ESTE & CASINO,

Case No. 2:20-cv-01424-JAD-EJY

7 Plaintiff,

8
9 **ORDER**

v.

10 BENJAMIN SRIQUI,

11 Defendant.

12 Pending before the Court are competing Proposed Discovery Plans and Scheduling Orders
13 filed by Plaintiff and Defendant. ECF Nos. 12 and 13.

14 Defendant's Proposed Plan effectively seeks a stay of discovery until such time as Defendant
15 answers Plaintiff's Complaint. ECF No. 13 at 2. Defendant's Motion to Dismiss was filed on
16 August 5, 2020 (ECF No. 5), and was not fully briefed until August 26, 2020 (ECF No.
17 9). Defendant provides no legal or factual support for staying discovery. ECF No. 13. Plaintiff
18 correctly points out that the filing of a dispositive motion does not effect a stay of discovery. ECF
19 No. 12 at 2. *See also Tradebay, LLC v. Ebay, Inc.*, 278 F.R.D. 597, 600 (D. Nev. 2011). If Defendant
seeks a stay of discovery, Defendant must file a motion seeking and supporting such requested relief.

20 Accordingly,

21 IT IS HEREBY ORDERED that Plaintiff's Proposed Discovery Plan and Scheduling Order
(ECF No. 12) is GRANTED.

22 IT IS FURTHER ORDERED that Defendant's Proposed Discovery Plan and Scheduling
Order (ECF No. 13) is DENIED.

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24 Dated this 25th day of September, 2020

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26 
27 ELAYNA J. YOUCHAH
28 UNITED STATES MAGISTRATE JUDGE